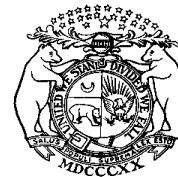




# MISSOURI DEPARTMENT OF MENTAL HEALTH

KEITH SCHAFER, DEPARTMENT DIRECTOR



DEPARTMENT  
OPERATING  
REGULATION  
NUMBER

DOR  
6.478

CHAPTER Human Resources	SUBCHAPTER Personnel Administration	EFFECTIVE DATE 7/1/09	NUMBER OF PAGES 3	PAGE NUMBER 1 of 3
SUBJECT Certification of Forensic Examiners		AUTHORITY Sections 552.020, 552.030, and 630.050, RSMo	HISTORY Revises DOR 6.478 Effective 8/1/98	
PERSON RESPONSIBLE Director, CPS			SUNSET DATE 7/01/12	

**PURPOSE:** Prescribes standards for certifying examiners to perform forensic evaluations.

**APPLICATION:** Applies to all persons performing forensic evaluations who are either employed by or contract with the Missouri Department of Mental Health.

(1) Under this DOR, a "Certified Forensic Examiner" is any person qualified under the standards in this DOR to perform and supervise pretrial evaluations on questions of competency to stand trial or criminal responsibility under sections 552.020 and 552.030, RSMo as directed by the department director. Certified Forensic Examiners serve at the discretion of the Director of Comprehensive Psychiatric Services.

(2) The Director of Forensic Services shall be responsible for certifying forensic examiners. The Director of Forensic Services may appoint a Forensic Examiners Certification Committee to assist in certifying forensic examiners. The committee shall be selected from certified forensic examiners and shall be appointed to serve as needed by the Director of Forensic Services.

(3) Persons may perform forensic examinations under the direct training and supervision of a Certified Forensic Examiner if they meet the following requirements for physicians or psychologists.

(A) For physicians:

1. An M.D. or D.O. degree from an accredited university or college;
2. A license to practice as a physician, issued by the Missouri Board of Registration for the Healing Arts;
3. Completion of at least one (1) year of psychiatric residence.

(B) For psychologists:

1. A Ph.D. or Psy.D. degree in clinical psychology or counseling psychology from an accredited university or college.
2. A license to practice as a psychologist, issued by the Missouri Committee of Psychologists, or documented eligibility for such licensure.
3. A Psychological Resident as defined in 20 CSR 2235-1 may perform forensic examinations under the direct training and supervision of a Certified Forensic Examiner but may not be certified as a forensic examiner until licensed as a psychologist.

(4) The Director of Forensic Services may certify persons as forensic examiners on the question of competency to stand trial and criminal responsibility if those persons meet the requirements of section (3) and all the following:



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(A) Have performed at least ten (10) examinations on the question of competency and at least ten (10) examinations on the question of responsibility under the direct training and supervision of a Certified Forensic Examiner before applying for certification. The supervising examiner or the Director of Forensic Services, or Forensic Examiners Certification Committee if appointed may require more than ten (10) examinations.

(B) Have demonstrated to the supervising examiner, the Director of Forensic Services, and the Forensic Examiners Certification Committee if appointed a knowledge of legal and clinical issues involved in competency to stand trial and criminal responsibility. Such knowledge may be demonstrated by supervised experience, by written or oral examination, or as otherwise required by the Director of Forensic Services or Forensic Examiners Certification Committee if appointed.

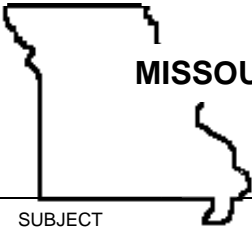
(C) Have completed an approved psychiatric residency if they have an M.D. or D.O. degree, or have been licensed to practice psychology in the State of Missouri.

(5) Persons shall apply in writing to the Director for certification on the issue of competency to stand trial and criminal responsibility. The application shall include documentation that the applicant has completed requirements of this DOR and a letter from a Certified Forensic Examiner who has supervised the applicant in conducting pretrial evaluations recommending the applicant's certification.

(A) The Director of Forensic Services shall notify the applicant in writing of the decision. If the Director of Forensic Services denies certification, the reason for denial and conditions the applicant must fulfill to be certified shall be stated.

(B) The Director of Forensic Services may waive any of the requirements in section (4) if the applicant can document equivalent experience and knowledge of forensic evaluations.

(6) Certifications are valid for two (2) years and will be renewed by the Director of Forensic Services unless rescinded. Certifications may be reviewed at any time by the Director of Forensic Services. The Director of Forensic Services may seek assistance from the Forensic Examiners Certification Committee in reviewing the certification of a forensic examiner. The Director of Forensic Services may require that the examiner receive additional supervision or training or certification may be rescinded. If additional supervision or training is required, the examiner shall be notified in writing and the additional requirements of supervision or training shall be stated. Certification is rescinded automatically upon termination of employment with the Department. Any decision to rescind certification, except for rescission that occurs due to termination of employment, must be approved by the Director of Comprehensive Psychiatric Services. If certification is rescinded, the person shall be notified in writing and the reason for the rescission, and the conditions the applicant must fulfill to be recertified, if any, shall be stated.



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(7) Certified forensic examiners may supervise persons in performing examinations only on issues those examiners are certified to examine.

*HISTORY: Original DOR effective August 1, 1984. Amendment effective January 15, 1988. Amendment effective September 1, 1994. Amendment effective August 1, 1998. Amendment effective January 15, 2001. On July 1, 2005 the sunset date was extended to July 1, 2006. On July 1, 2006 the sunset date was extended to July 1, 2009. Amendment effective July 1, 2009.*